

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

KENDALL LAMAR GARLAND,	:	
Plaintiff,	:	
v.	:	Civil Action No. 04-130J
LT. HORTON,	:	
Defendant	:	

MEMORANDUM ORDER

Plaintiff's Rule 60 motion, docket no. 58, was referred to Magistrate Judge Keith A. Pesto for a Report and Recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(3), and Local Rule 72.1 for Magistrate Judges.

The Magistrate Judge filed a Report and Recommendation on March 31, 2006, docket no. 60, recommending that the motion be denied.

The parties were notified that pursuant to 28 U.S.C. § 636(b)(1), they had ten days to serve and file written objections to the Report and Recommendation. Plaintiff filed objections, docket no. 61, which I have reviewed de novo but reject.

After de novo review of the record of this matter and the Report and Recommendation, the following order is entered:

AND NOW, this 8th day of September, 2006, it is

ORDERED that the plaintiff's motion, docket no. 58, is
denied, ^{and plaintiff's motion, docket no. 56 is denied.}
The Report and Recommendation is adopted as the opinion
of the Court.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Kim R. Gibson". The signature is written in a cursive, flowing style with a horizontal line underneath.

KIM R. GIBSON,
UNITED STATES DISTRICT JUDGE

Notice to:

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